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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,417	12/03/2003	Yoshiyuki Ishii	1982-0207P	4769

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EXAMINER

TAWFIK, SAMEH

ART UNIT	PAPER NUMBER
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3721

DATE MAILED: 08/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/725,417

Applicant(s)

ISHII ET AL.

Examiner

Sameh H. Tawfik

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,6-8 and 18-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,6-8 and 18-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 18-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 18 recites the limitation "the determining step" in line 14. There is insufficient antecedent basis for this limitation in the claim.

Claim 26 recites the limitation "the wrapped and packaged sheets" in lines 5 and 6. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 6-8, and 18-25 are rejected under 35 U.S.C. 102(b) as being anticipated by JP patent (7-49197).

"197 discloses a method for controlling manufacture of a sheet material in which the sheet material cut into a plurality of sheets of predetermined size (via tail end cutting shear 16 cut the web into different sheets) in which the sheets or processed products of the sheets are manufactured by processing the sheets or performing predetermined operations on the processed

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products of the sheets at each of processing operations or processing sections provided at the processing operations while conveying the sheets along a predetermined line, the method comprising detecting passage of the sheets or the processed products of the sheets (Figs. 1 and 2; via detecting means 15 and 25 on the passage of the long sheet cut by via 16 which then cut into smaller sheet 10 by via 26) by sheet detectors disposed at entrance (via detecting means 15) and exit (via detector means 25) sides of each of the processing operations (via operations 23 and 24) or the processing sections where the sheets or the processed products of the sheets enter and exit the processing operations or the processing sections (Figs. 1 and 2); and controlling conveyance (Fig. 1; via conveyers 27-29) or manufacture of the sheets or the processed products of the sheets based on results of detection by the sheet material detectors (via means 40).

Regarding claim 7: wherein the predetermined operation comprises sorting the sheets (Figs. 1 and 2; via 37-39).

Regarding claim 8: wherein the operation section comprises a branch path for sorting the sheets being conveyed, and the sheet detectors are disposed at entrance and exit sides of the branch path (Figs. 1 and 2; via detectors 15 and 25 at the entrance and exit of the branch path of the long severed sheet via using tail end cutter shear 16).

Regarding claim 18: wherein the operation section includes a sorting section for sorting the sheets and conveying and collecting the sheets into different collection sections (37-39), the sorting section including a sheet conveyance path with at least one branch gate (35 or 36), the at least one branch gate operating so as to direct a sheet conveyed thereto to one of different paths therefrom; sheet detectors are disposed at entrance (via 25) and exit (via 38 and 39 sending signal to comp. 40) sides of the at least one branch gate for detecting a sheet that passes through

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or has passed through the at least one branch gate; and “the determining step” determines a conveyance status of the sheet based on results of detection by the sheet detectors (Fig. 1 and lines 12-17 of the filed translation sheet).

Regarding claim 19: wherein the determination is made as to whether or not any failure has occurred in at least one of conveyance and sorting of the sheets (lines 7 and 8 of the filed translation sheet).

Regarding claim 20: wherein the conveyance status of a sheet is determined based on checking at least one of the results of detection by the sheet detectors disposed at the entrance and exit sides of the branch gate (lines 11-13).

Regarding claim 21: wherein one of the collection sections is disposed together with a counter for counting a number of the sheets collected at the respective collection section at each of terminal ends of the branch paths (via computing means 40).

Regarding claim 22: wherein at least one of the paths branched from the at least one branch gate directs the sheet toward a next branch gate (via 35 and 36).

Regarding claim 23: wherein the manufacturing line is controlled so as to stop conveyance of the sheets based on a determination of a failure (Figs. 1 and 2; via by sorting the sheets out of the machine in one of the collections 37-39).

Regarding claim 24: wherein the sheet is produced by cutting to a predetermined length a long material wound in a roll (Fig. 1); calculating a number of produced sheets based on a length of the material drawn out from the roll, and comparing a number of the sheets collected in the collection sections with the calculated number of produced sheets (lines 7-11 of the filed

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translation; via by computing the number of accepted sheets and the number of defective sheets by computing means 40).

Regarding claim 25: wherein the comparison between the numbers of the sheets is performed when conveyance of the sheets is stopped (Fig. 1; via some of the sheets sorted on 37-39 while means 40 still computing for other sheets).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over JP patent (7-49197).

'197 does not disclose wrapping and packing the collected sheets. However, the examiner takes an official notice that such packing cutting sheets is old, well known, and available in the art. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified '197 by having the step of wrapping the collecting sheets, in order to have easy access to punch of stacked sheets separately. Note that since '197 has computing means 40 controlling the different steps of the processing operation, it would be inherent that means 40 will also control the packaging step.

*Conclusion*

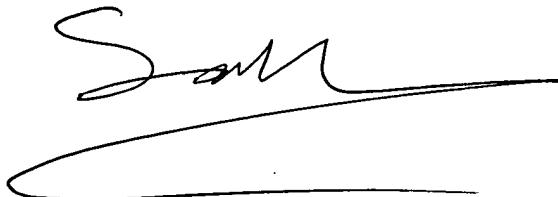
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sameh H. Tawfik whose telephone number is 571-272-4470.

The examiner can normally be reached on Tuesday - Friday from 8:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada can be reached on 571-272-4467. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sameh H. Tawfik  
Patent Examiner  
Art Unit 3721

A handwritten signature in black ink, appearing to be 'Sameh', with a long horizontal flourish extending to the right.

ST.